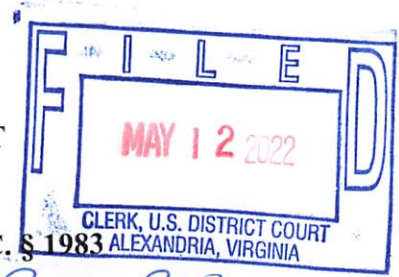


IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA

COMPLAINT UNDER CIVIL RIGHTS ACT 42 U.S.C. § 1983 ALEXANDRIA, VIRGINIA

Action Number 22-cv-206  
(To be supplied by the Clerk, U.S. District Court)



Please fill out this complaint form completely. The Court needs the information requested in order to assure that your complaint is processed as quickly as possible and that all your claims are addressed. Please print/write legibly or type.

**I. PARTIES**

**A. Plaintiff:**

1. (a) Amber Lucas (Name) (b) 1580927 (Inmate number)  
(c) P.O. Box 1 (Address)  
Groachland, VA 23063

Plaintiff MUST keep the Clerk of Court notified of any change of address due to transfer or release. If plaintiff fails to keep the Clerk informed of such changes, this action may be dismissed.

Plaintiff is advised that only persons acting under the color of state law are proper defendants under Section 1983. The Commonwealth of Virginia is immune under the Eleventh Amendment. Private parties such as attorneys and other inmates may not be sued under Section 1983. In addition, liability under Section 1983 requires personal action by the defendant that caused you harm. Normally, the Director of the Department of Corrections, wardens, and sheriffs are not liable under Section 1983 when a claim against them rests solely on the fact that they supervise persons who may have violated your rights. In addition, prisons, jails, and departments within an institution are not persons under Section 1983.

**B. Defendant(s):**

1. (a) D. Scruggs (Name) (b) Correctional Sergeant (Title/Job Description)  
(c) V.C.C.W (Address)

2. (a) R. Williams  
(Name)  
(b) Correctional Officer  
(Title/Job Description)  
(c) V.C.C.W  
(Address)
3. (a) . Spencer  
(Name)  
(b) Correctional Sergeant  
(Title/Job Description)  
(c) V.C.C.W  
(Address)

If there are additional defendants, please list them on a separate sheet of paper. Provide all identifying information for each defendant named.

**Plaintiff MUST provide a physical address for defendant(s) in order for the Court to serve the complaint. If plaintiff does not provide a physical address for a defendant, that person may be dismissed as a party to this action.**

## II. PREVIOUS LAWSUITS

- A. Have you ever begun other lawsuits in any state or federal court relating to your imprisonment? Yes [☒] No [☐]
- B. If your answer to "A" is Yes: You must describe any lawsuit, whether currently pending or closed, in the space below. If there is more than one lawsuit, you must describe each lawsuit on another sheet of paper, using the same outline, and attach hereto.

1. Parties to previous lawsuit:

Plaintiff(s) Amber Lucas  
Defendant(s) Cummings et al

2. Court (if federal court, name the district; if state court, name the county):

Eastern District Court

3. Date lawsuit filed: 2/28/2022

4. Docket number: 1:22-cv-2006(PTG/TCB)

5. Name of Judge to whom case was assigned: Mark S. Davis

6. Disposition (Was case dismissed? Appealed? Is it still pending? What relief was granted, if any?): Pending

### III. GRIEVANCE PROCEDURE

A. At what institution did the events concerning your current complaint take place: \_\_\_\_\_

Virginia Correctional Center for Women

B. Does the institution listed in "A" have a grievance procedure? Yes [☒] No [☐]

C. If your answer to "B" is Yes:

1. Did you file a grievance based on this complaint? Yes [☒] No [☐]

2. If so, where and when: 3/8/22, 3/18/22, 3/25/22, and 4/7/22 *Continued from*

3. What was the result? Unfounded

4. Did you appeal? Yes [☒] No [☐]

5. Result of appeal: Unfounded

D. If there was no prison grievance procedure in the institution, did you complain to the prison authorities? Yes [☒] No [☐]

If your answer is Yes, what steps did you take?

Continued to verbally notify the staff of the on-going issue in Building 6-1. Spoke directly to the Assistant Warden and asked to be moved to a different building. My request was granted. NO problems since.

E. If your answer is No, explain why you did not submit your complaint to the prison authorities:

#### IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

15 MINS 15  
(5:45pm) 03/07/22. The cell doors in Building 6, 6-2 Hall were secured for court approximately 15mins before court (6pm). Nearly 1hr later the cell doors were unlocked for restroom use/nightly function. If you refer back to the Camera Footage you will see SGT. Scruggs came yell at the hallway due to offenders knocking/banging on doors for restroom use. Scruggs not only failed to let me out but she and C.O. Williams failed to do a security round to see what my emergency was. My menstrual cycle had started and was messy as well as I had to urinate in my Bowl purchased from Keese Commissary.

03/23/22. SGT Spencer made me step back in my cell at 5:50AM and denied me the access to a restroom to relieve myself, securing my door shut. As camera footage will show Spencer and C/O Craven began counting at 6:05AM. Therefore I would have not interfered with count. Spencer did not arrange to prepare for court or the cell doors would have remained open/unlocked until 6AM. By 6:08AM after I could no longer hold my urine I was forced to urinate in a hospital cup. C/O Craven is WHO unlocked my door around 6:14AM and you will see me exit with the cup of urine.

**V. RELIEF**

I understand that in a Section 1983 action the Court cannot change my sentence, release me from custody or restore good time. I understand I should file a petition for a writ of habeas corpus if I desire this type of relief. ant (please initial)

The plaintiff wants the Court to: (check those remedies you seek)

☒ Award money damages in the amount of \$ 300,000.00

☒ Grant injunctive relief by Doors only to be locked at the time they are doing actual count in the building. Easy access to a restroom, very simple.

**VI. PLACES OF INCARCERATION**

Please list the institutions at which you were incarcerated during the last six months. If you were transferred during this period, list the date(s) of transfer. Provide an address for each institution.

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**VII. CONSENT**

CONSENT TO TRIAL BY A MAGISTRATE JUDGE: The parties are advised of their right, pursuant to 28 U.S.C. § 636(c), to have a U.S. Magistrate Judge preside over a trial, with appeal to the U.S. Court of Appeals for the Fourth Circuit.

Do you consent to proceed before a U.S. Magistrate Judge: Yes [ ] No [ ]. You may consent at any time; however, an early consent is encouraged.

**VIII. SIGNATURE**

If there is more than one plaintiff, each plaintiff must sign for himself or herself.

Signed this 8th day of May, 2022.

Plaintiff Amelia Garcia